

REMARKS:

Please reconsider the present application in view of the above amendments and following remarks. Applicants thank the Examiner for carefully considering the present application. Claims 1-64 are pending and stand rejected. Claims 33 and 49 are amended herein. Claims 1-64 are pending upon entry of this amendment.

Interview Summary

Applicants thank the Examiner for taking time to discuss claims 1, 33, and 49 of the pending application with Applicants' representative in the Examiner Interview of September 5, 2008. The Examiner and Applicants' representative agreed that U.S. Patent Application Publication No. 2002/0178041 to Krantz et al. is not prior art to claim 1. No specific agreement is reached as to claims 33 and 49. As required by 37 C.F.R. § 1.133 and MPEP § 713.04 and agreed upon with Examiner, the substance of the interview is incorporated in this amendment and response.

Response to Specification Objection

In paragraph 2 of the Office Action, the Examiner objected to the specification as allegedly failing to provide proper antecedent basis for the word "medium" in claim 49.

Applicants have amended the specification to recite "The web server 28 includes a computer processor for executing a computer program and a computer-readable storage medium for storing an executable computer program." Applicants submit that the specification amendments provide proper antecedent basis for the claims. Applicants also submit that no new matter is added because the amendment merely adds description of inherent characteristics of the web server described in the specification as filed. In addition,

claim 49 as originally filed recited “a computer program embodied on a computer readable medium.”

Response to Rejection Under 35 USC § 101

In paragraph 3 of the Office Action, the Examiner rejected claims 33-48 under 35 USC § 101 as allegedly being directed to non-statutory subject matter. Particularly, the Examiner asserted that the system recited in claim 33 can be interpreted as a computer program.

Applicants respectfully submit that claims 33-48 were proper as previously filed. Nevertheless, to expedite prosecution Applicants have amended claim 33 to now recite “a computer processor for executing a computer program; and a computer-readable storage medium for storing an executable computer program”. Accordingly, Applicants submit that claim 33 cannot be interpreted as a computer program and thus statutory. Dependent claims 34-48 are statutory for the same reason. Applicants respectfully request that the Examiner reconsider and withdraw the rejection under 35 USC § 101.

Response to Rejection Under 35 USC § 102(e) in View of Krantz

Claims 1-10, 12, 13, 19-21, 23, 24, 26, 27, 29, 31, 33-40, 42, 43, 49-56, 58, and 59 stand rejected under 35 USC § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0178041 to Krantz et al. (“Krantz”). As the Examiner acknowledged in the Examiner Interview on September 5, 2008, Krantz is not prior art to claim 1 because Krantz’s effective priority date is not before the priority date of the present application. Krantz is not prior art with respect to the other claims rejected under § 102 for

at least the same reasons. Therefore, Applicants respectfully request that the Examiner withdraw the rejection.

Response to Rejection Under 35 USC § 103(a) in View of Krantz

Claims 14-18, 25, 28, 32, 44-48, and 60-64 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Krantz in view of U.S. Patent Application Publication No. 2002/0128934 to Shaer (“Shaer”). Claim 30 stands rejected under 35 USC § 103(a) as allegedly being unpatentable over Krantz in view of U.S. Patent 6,826,540 to Plantec et al. (“Plantec”). Claims 11, 22, 41, and 57 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Krantz in view of U.S. Patent 6,507,870 to Yokell et al. (“Yokell”). As noted above, Krantz is not a proper prior art. Accordingly, the § 103 rejections based at least in part on Krantz are improper and Applicants request that the Examiner withdraw them.

Conclusion

In sum, Applicants respectfully submit that claims 1-64, as presented herein, recite statutory subject matter and are patentably distinguishable over the cited references for the reasons described above. Therefore, Applicants respectfully request allowance of the claims and application.

Independent claim 1 is not amended herein. Therefore, no new ground of rejection for it has been made necessary by Applicants. Pursuant to MPEP § 706.07(a), the Examiner shall not make the next action final if a new ground of rejection for independent claim 1 is introduced.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
JUSTIN T. NGUYEN ET AL.

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